

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANTHONY STOKES,

Defendant.

No. 05-CR-30166-DRH

ORDER

HERNDON, District Judge:

Now before the Court is defendant Anthony Stokes' second Motion to Continue the trial setting (Doc. 33.) Defendant requests this continuance because his counsel, who recently underwent surgery, would be physically unable to appear for trial as currently set on April 17, 2006. Additionally, the Motion indicates that the parties are now exploring plea options, which could obviate the need for a trial. Again, the Government does not object. The Court being fully advised in the premises finds pursuant to **18 U.S.C. § 3161(h)(8)(A)**, the ends of justice served by the granting of such continuance outweigh the best interests of the public and Defendant in a speedy trial.

Therefore, the Court **GRANTS** Defendant's Motion to Continue. (Doc. 33.) The Court **CONTINUES** the jury trial scheduled for Monday, April 17, 2006 at 9:00 a.m. to **Monday, June 12, 2006 at 9:00 a.m.** The time from the date the

Motion was filed, April 10, 2006, until the date to which the trial is rescheduled, June 12, 2006, is excludable time for the purposes of speedy trial.

IT IS SO ORDERED.

Signed this 11th day of April, 2006.

/s/ _____ David RHerndon
United States District Judge